

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: GENERIC DIGOXIN AND DOXYCYCLINE ANTITRUST LITIGATION
THIS DOCUMENT RELATES TO: ALL CASES

MDL NO. 2724
16-md-2724

HON. CYNTHIA M. RUFE

**Application Of Heidi M. Silton For Leadership Of Or In The Alternative Membership In
The End-Payor Plaintiff Steering Committee**

For over 20 years, Ms. Silton has represented plaintiffs in nationwide antitrust class actions. In this case, she represents two union-fund Plaintiffs, Twin Cities Pipe Trades Welfare Fund and Minnesota Laborers Health And Welfare Fund. She has extensive experience in all aspects of antitrust litigation, including shepherding class representatives through all aspects of discovery and conducting liability witness depositions. Ms. Silton has acquired additional discovery experience in antitrust cases in Pennsylvania's federal courts.¹ Ms. Silton seeks a leadership position in this case.²

Ms. Silton has long worked closely and cooperatively with many lawyers seeking leadership appointments in this case. She, like her colleagues at Lockridge Grindal Nauen PLLP ("LGN"), routinely serves in leadership positions requiring high levels of cooperation with other plaintiffs' counsel. She and her firm have embraced a culture of collaboration in working with co-counsel, believing that cooperative leadership greatly benefits class members.

Ms. Silton's firm was appointed by Judge Gleeson as one of four co-lead firms in *Precision Associates, Inc. v. Panalpina World Transport (Holding) Ltd.*, 1:08-cv-00042-BMC-

¹ See, e.g., *In re Flat Glass Antitrust Litigation (II)* (W.D. Pa. MDL No. 1942) (firm colleague appointed co-lead counsel; \$22.3 million recovered for the class); *In re Pressure Sensitive Labelstock Antitrust Litigation* (M.D. Pa. MDL No. 1556) (firm appointed co-lead counsel; \$46.5 million recovered for the class); *In re Linerboard Antitrust Litigation* (E.D. Pa. MDL No. 1261) (recovering more than \$202 million for the class).

² Ms. Silton suggests that a leadership structure of 5 to 7 firms in this case is appropriate.

PK (E.D.N.Y.), and over nearly nine years of contentious litigation, resolved all 11 conspiracy claims against 68 defendants. Ms. Silton conducted scores of domestic and international witness interviews, attorney proffers, and depositions, and led document production and deposition work for multiple Plaintiffs. Those efforts have resulted in at least \$406 million for the class.

She also performed significant discovery and briefing work in *In re Urethane Antitrust Litigation*, No. 04-MD-1616-JWL (D. Kan.) following Judge Lungstrom's appointment of her firm as one of four co-leads. She and other co-lead counsel recovered \$33 million for the class.

Ms. Silton was named as one of the lawyers by Judge Magnuson in LGN's co-lead role in *In re Monosodium Glutamate Antitrust Litigation*, MDL-00-1328 (D. Minn.). In addition to the complex and international discovery work in which she specializes—including depositions and attorney proffers—Ms. Silton assisted in negotiating a number of settlements in that case. The class ultimately recovered \$123 million.

She also was heavily involved in discovery and settlement work in *In re Potash Antitrust Litigation (II)*, (N.D. Ill. MDL No. 1996), in which Judge Castillo appointed Ms. Silton's partner, W. Joseph Bruckner, as one of two co-lead counsel. That case yielded a settlement of \$90 million for the direct purchaser class and established a highly precedential and favorable *en banc* decision by the Seventh Circuit clarifying the Foreign Trade Antitrust Improvements Act, 15 U.S.C. § 6a. *See Minn-Chem Inc. v. Agrium Inc.*, 683 F.3d 845 (7th Cir. 2012) (*en banc*).

Ms. Silton brings to this case a particular understanding of union funds and their needs. For years, Ms. Silton and her firm have represented numerous union funds in various capacities. She currently represents union-fund plaintiffs in generic-drug pay-for-delay antitrust cases.³

Courts have praised the work performed, and the results obtained, by Ms. Silton and her

³ E.g., *In re Aggrenox Antitrust Litig.*, No. 3:14-md-02516-SRU (D. Conn.); *In re Celebrex (Celecoxib) Antitrust Litig.*, Lead Case No. 2:14-cv-00395 (E.D. Va.); *In re Lidoderm Antitrust Litig.*, MDL Docket No. C-14-md-02521 WHO (N.D. Cal.); and *In re Asacol Antitrust Litigation*, Case No. 1:15-cv-12730-DJC (D. Mass.).

co-counsel. *E.g.*, *Precision*, 2015 WL 6964973, at *8 (final approval order noting that “[t]he settlement amounts proposed here attest to Class Counsel’s abilities”). Among other accolades, Minnesota Law & Politics consistently names Ms. Silton among the top 50 female attorneys in the state and has named her a “Super Lawyer” for 13 years running. She is the past Chair and a current Council member of the Minnesota State Bar Association’s Antitrust Section, and currently serves as Treasurer of The Committee to Support the Antitrust Laws (“COSAL”), based in Washington D.C.

Ms. Silton is willing and able to commit to the work necessary to successfully prosecute this action on behalf of the class. In the above-listed actions, collectively, her firm invested millions of dollars and hundreds of thousands of hours, all on a contingent basis. Now that much of that litigation has substantively concluded, those resources now can be directed to plaintiffs’ benefit here. Ms. Silton has already invested significant work in this case. For well more than a year, she has researched the generic drug industry at issue in this case, repeatedly meeting with industry experts and speaking with many union funds about their experiences with generic drug pricing, and more recently actively conferring with colleagues on issues in this case, including MDL strategy and early discovery. She and two colleague firms have developed a questionnaire to be used to collect plaintiff discovery and develop a consolidated amended complaint. For these reasons, Ms. Silton is eminently qualified for and seeks a leadership role in this case.

Dated: September 23, 2016

s/ Heidi M. Silton
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CERTIFICATE OF SERVICE

Heidi M. Siltan, hereby certifies that I electronically filed Application Of Heidi M. Siltan For Leadership Of Or In The Alternative Membership In The End-Payor Plaintiff Steering Committee with the Clerk of the Court using CM/ECF system which automatically sent notification of such filings to the Filing User(s) listed on the Court's Case List of CM/ECV service.

Service was also effectuated on those individuals requiring manual noticing as listed on the Court's Mailing Information Manual Notice List.

This document so filed is available for viewing and downloading on the ECF system.

I declare that I am registered Filing User of this District of the United State District Court.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Certificate is executed on September 23, 2016 in Minneapolis, MN.

Dated: September 23, 2016

s/ Heidi M. Siltan
Heidi M. Siltan